



City and County of
Swansea

PARKING

**ANNUAL REPORT
2010 / 2011**

1. INTRODUCTION

This is the third annual report we have published in accordance with the requirements of the Traffic Management Act 2004. This report presents information on how The City and County of Swansea delivers its parking services and aims to place this service in context with our other road network management duties and policies.

The key concerns of the Parking Services Section is to ensure that the road network operates at maximum effectiveness, balances conflicting demand, is fair to law abiding and observant road users and is considerate of individual circumstances put forward in mitigation of contraventions.

There is an understanding that different groups across the City and County area will have different parking needs. Our aim is to balance those needs, to make sure that the system is fair to all. Whilst parking restrictions are rarely popular with motorists, without them there would be a significantly higher level of congestion and at times gridlock. Swansea was built in an era of little motorised transport and at that time planners could not have anticipated the levels of vehicle ownership we have today.

There are a wide variety of groups who require parking and travel services including residents, businesses, commuters, people with disabilities, shoppers, students and visitors. Traffic and parking management are the way that the Council makes sure that available parking areas can be shared in a fair and transparent way. The enforcement of the parking regulations is not revenue raising tools. No targets are set and any surplus income is invested into traffic management improvements.

The implementation of the Traffic Management Act (Part 6) on the 31st March 2008 and the Council's subsequent successful application to the Welsh Assembly Government which designated The City and County of Swansea a Civil Enforcement Area for Parking Contraventions and also a Special Enforcement Area gave the Council an opportunity to review parking enforcement. The transfer of powers from the police to the Council resulted in the creation of the Parking Services Sections which is based within the Traffic Section of Transportation and headed by the Director of the Environment.

The Welsh Assembly Government has set out in its guidance a requirement for enforcement to be transparent, consistent and fair. Swansea Council has worked hard to ensure its enforcement meets these three criteria and that it is proportionate to the circumstances.

The Council tries to be aware that sometimes there are genuine extenuating circumstances which result in the issue of a Penalty Charge Notice (PCN), and the driver may have done their best to comply with the restrictions, or have another good cause to put forward. We recognise that we have an express duty to consider "compelling circumstances" and to exercise discretion in an appropriate way.

In line with the Council's policy on transparency we have published our mitigation guideline on the Council's web site.

(http://www.swansea.gov.uk/media/word/0/d/Discretion_Guidance_Statutory_Grounds_21_01_09.doc)

This not only ensures motorists are able to establish if their circumstances allow the Council to cancel their PCN but also ensures consistency in dealing with the large proportion of mail received from motorists who have received a PCN.

The vast majority of motorists park legally and sensibly. Some drivers who receive PCNs may not have intended to park in contravention of the Traffic Order and on occasions they have misunderstood the nature of the restrictions. However, motorists do have a responsibility to take note of the restriction signs and to comply with them.

Equally we have a responsibility to make sure that any restrictions are clearly signposted and to consider where lessons could be drawn from the number of contraventions committed.

This was the case on Myndd Gelli Wastad Road on the approach to the Accident and Emergency department of Morriston Hospital. The clearway restrictions which had been in place for a number of years were not being adhered to. This resulted in complaints from the Welsh Ambulance Services that at times they could not access the Accident and Emergency Department. With critically ill patients this delay could be life threatening and as a result the restrictions were altered and yellow lines were applied to the road surface preventing parking and loading/unloading at any time. The greater visibility of these regulations has proved to be a significant success with ambulances now having a free running and the number of PCN's issued reducing dramatically.

Swansea does unfortunately have a small hardcore of motorists who pay no attention to restrictions and who park illegally because it is convenient for them and they do not consider the inconvenience of others. This is unacceptable because irresponsible parking can quickly cause traffic congestion and pollution. It significantly increases the number of accidents and it is unfair on the majority of motorists who take care to park correctly and legally. At the time this report was written 17,636 motorists have received 5 or more penalty charge notice for parking contraventions with one motorist having received 63 penalty charge notices. These persistent offenders currently owe £130,000 in outstanding charges.

Whilst not want to stigmatise any group of motorists sadly there is one group who do appear to consider their right to park as close to school gates as possible. The Parking Services Section receives complaints from numerous schools, residents and parents complaining about parking outside schools. This compromises the safety of one of our most venerable groups, our children.

The Parking Services Section works closely with the Road Safety Section. Schools which are identified as being most at risk are targeted.

There are a number of helpful documents, publications and web sites which provide information relating to parking and how the enforcement and appeals processes work.

The British Parking Association in partnership with the consumer association "Which?" has published a Guide to Parking. Their web site address is www.britishparking.co.uk

P.A.T.R.O.L. (Parking And Traffic Regulations Outside London) has published a guide to the enforcement of Penalty Charge Notices and the associated appeals procedures. The web site address for this document is http://www.patrol-uk.info/downloads/Process_Map.pdf

The Council has also published its own document "Strategy, Procedures and Policy" which gives guidance on how challenges and representations will be dealt with. The link to this document is via the Councils public web site. http://www.swansea.gov.uk/media/pdf/p/0/Car_Parking_Enforcement_Strategy_2011.pdf

2. Parking Provision in the City and County of Swansea

Parking space both on and off-street is limited. The growth of vehicle ownership over the last 10 years in particular has resulted in increased demand for parking. This is no more so than in areas where properties have been altered to provide accommodation for the students of Swansea University and Swansea Metropolitan University and residential areas surrounding the two higher education facilities.

Managing the competing demand of full time residents, students, commuters, employees and visitors required the allocation of parking spaces for specific groups of people such as disabled, residents, the business community and short term parking where the needs arise. Balancing the needs of these various groups is key to the continued economic growth and success of both the City and County area.

The City and County of Swansea contains a number of commercial areas which local residents visit on a daily/weekly basis. Out of town retail parks have also impacted on these areas. In addition Swansea is also a very popular tourist location with Mumbles and Gower. Venues such as the Leisure Centre, the Marina, the Martine Museum and the Plantasia along with a host of special events such as the Air Show, and the Tour of Britain Cycle Race also have a major impact on parking.

The Liberty Stadium, home to both Swansea City Football Club and the Ospreys Rugby Union Club and host to various concerts and events also brings competing demand on parking provision. With Swansea City Football Club gaining promotion to the Premiership it is envisaged that the additional supporters will bring even greater demand on the limited parking provision surrounding the stadium.

Parking provision is regularly reviewed. Officers from the parking services section regularly attend PACT meetings to take account of the views of residents. Recent meetings with City Centre traders and in particular Swansea BIDS (Business Improvement District) allows the Council to make informed decisions based on current parking and environmental policy, The Council considers a number of factors including:-

- ◆ Controlled hours of parking
- ◆ Maximum stay periods
- ◆ Types of use for individual parking bays
- ◆ Charges tariffs
- ◆ Criteria for controlled parking zones
- ◆ Criteria for residents parking areas.

The Council operates 37 pay and display off-street car parks throughout the City and County area. These car parks are strategically located to ensure access to the City Centre, commercial and tourist areas. In addition there are free car parks located in Gorseinon, Mumbles, Gowerton and Pontarddulias

City Centre

There are three multi storey car parks operated in the City Centre by the Council, NCP own and operate a further 3 MSCP's. Tesco have a car park adjacent to their City Centre supermarket which offers 2 hours free car parking and there is also a private underground car park. There is additional parking provision at Parc Tawe and Sainsbury's on the peripheries of the City Centre

There are in total 7288 off-street car parking spaces located in the City Centre. Tariffs vary dependant on ownership and designation. Council car parks are designated either long or short stay, three are designated for season ticket holders only and one, 'Park Street West' is entirely reserved for disability badge holders.

Table 1 below provides a break down of these car parks by designation and ownership.

Table 1

| Location | Total spaces | Disabled spaces | Type | Designation | Owner |
|--------------------|--------------|-----------------|---------|-------------|---------|
| Kingsway | 320 | 4 | MSPC | Long Stay | NCP |
| Orchard Street | 512 | 3 | MSPC | Long Stay | NCP |
| Salubrious Passage | 255 | 15 | MSPC | Long Stay | NCP |
| Quadrant | 517 | 30 | MSCP | Short Stay | Council |
| St. David's | 460 | 33 | MSCP | Short Stay | Council |
| High Street | 716 | 30 | MSCP | Long Stay | Council |
| Mariner Street | 164 | 5 | Surface | Long Stay | Council |
| Clarence Terrace | 77 | 0 | Covered | Long Stay | Council |
| East Burrows | 230 | 6 | Surface | Long Stay | Council |

| | | | | | |
|------------------|------|-----|-------------|------------|---------|
| The Strand | 218 | 12 | Surface | Long Stay | Council |
| Pockets Wharf | 53 | 2 | Surface | Long Stay | Council |
| Paxton Street` | 331 | 0 | Surface | Long Stay | Council |
| Pell Street | 30 | 3 | Surface | Short Stay | Council |
| Park Street East | 31 | 6 | Surface | Short Stay | Council |
| Oxford Street | 116 | 27 | Surface | Short Stay | Council |
| Northampton Lane | 84 | 4 | Surface | Short Stay | Council |
| YMCA | 25 | 2 | Surface | Short Stay | Council |
| Worcester Place | 21 | 2 | Surface | Short Stay | Council |
| Waterfront | 220 | 20 | Surface | Short Stay | Council |
| Park Street West | 15 | 151 | Surface | Disables | Council |
| Picton Lane | 42 | 3 | Surface | Permits | Council |
| Salubrious Place | 26 | 0 | Surface | Permits | Council |
| Madoc Street | 24 | 0 | Surface | Permits | Council |
| Oystermouth Road | 391 | 12 | Surface | Long Stay | Council |
| Parc Tawe | 1288 | 50 | Surface | Free | Private |
| Tesco | 455 | 30 | Surface | Free | Tesco |
| Sainsbury's | 677 | 30 | Surface | Free | Private |
| Potters Wheel | 21 | 0 | Underground | Private | Private |

The charging regime for the City Centre car parks applied by the Council from April 2011 is as shown below in table 2.

Table 2

| Long Stay | | Charges |
|------------------|-----------------------------------|------------------------|
| East Burrows | Up to 1 hour | £1.20 |
| Mariner St | Up to 2 hours | £2.40 |
| Paxton | Up to 3 hours | £3.50 |
| Pocketts Warf | Up to 4 hours | £4.50 |
| Strand | All Day | £6.00 |
| Coaches | Up to 2 hours/ All Day | £4.00 £6.00 |

| Short Stay | | Charges | Blue Badge Concessions | |
|-------------------|-------------------|----------------|-------------------------------|--------------|
| Northampton | Up to 1 hr | £1.20 | Up to 2 hr | 70p |
| Oxford St | Up to 2 hr | £2.40 | Up to 3 hr | £1.20 |
| Park St East | Up to 3 hr | £3.50 | All day | £2.40 |
| Pell St) | | | | |
| Worcester Pl) | | | | |
| YMCA | | | | |
| Salubrious (sat) | | | | |

| | | |
|---|-------------------------------------|--|
| Waterfront / LC Oystermouth Road | Mon – Sat 6.30am-10.30pm | |
|---|-------------------------------------|--|

| | | |
|--|----------------------|--------------|
| | Up to 2 hours | £2.00 |
| | Up to 3 hours | £3.00 |
| | Up to 4 hours | £4.00 |
| | Up to 5 hours | £5.00 |
| | All Day | £7.00 |

| Secure Parking | | New Charges |
|-----------------------|----------------------|--------------------|
| Clarence Terrace | Up to 1 hour | £1.50 |
| | Up to 2 hours | £3.00 |
| | Up to 3 hours | £4.50 |
| | Up to 4 hours | £6.00 |
| | All Day | £7.00 |

| Disabled Parking | | Charges |
|-------------------------|----------------------|----------------|
| Park Street West | Up to 2 hours | 70p |
| | Up to 3 hours | £1.20 |
| | All Day | £2.40 |

A limited amount of on-street parking is available in Plymouth Street and Oxford Street. These are short term (20 minute) parking bays controlled by pay and display machines. In addition there are free, time limited parking bays in High Street.

Loading/unloading bays are located throughout the City Centre. There are designated disable parking bays in St Mary's Square, Orchard Street and High Street. Designated taxi ranks are located on York Street, Portland Street, Kingsway, Newton Street and Caer Street

Outside the City Centre

To support the City Centre and complement the parking arrangement the Council have three excellent park and ride facilities. These are located on strategic routes into the city on Fabian Way to the East, Fforestfach to the West and Landore to the North. These facilities provide cheaper alternative long stay facilities. Working in partnership with First Cymru, who transport our customers into the City Centre via bus corridors which ensure the transfer time to the City Centre is kept to a minimum.

Outside the City Centre there are a number of car parks which are located in close proximity to commercial areas such as Mumbles, Gorseinon, Morrision and Gowerton. Whilst the car parks in both Gorseinon and Morrision are currently free Council has agreed to commence charges in line with those applied in Mumbles for the 2001/12 financial year. See Table 3 below:

The Council operates reduced charges at these car parks and these charges are designed to ensure visitors gain maximum benefit from all day stays in the area. Originally seasonal charges applied to these car parks. However, in the previous

financial year winter charges were introduced. This policy was reviewed following consultation with both town / community councils and the business communities and these charges have been reduced from October 2011.

Table 3

| Mumbles | | Charges | Blue Badge Concessions | |
|---|---------------------|----------------|-------------------------------|--------------|
| The Dairy, The Quarry and Foreshore car parks. | Up to 1 hour | 50p | Up to 2 hrs | 50p |
| | Up to 2 hrs | £1.20 | Up to 4 hrs | £1.20 |
| | All Day | £4.50 | All day | £2.40 |

Parking is also available in car parks located close to the tourist and cultural locations such as Port Eynon, Caswell, Langland, Clyne Country Park, Singleton Park and the Swansea Bay Foreshore. Charges for these car parks are shown in Table 4 below:-

Table 4

| Foreshore & Beach | | Summer Charges | Winter Charges | Blue Badge Concessions | |
|--|--|--|-----------------------|-------------------------------|--------------|
| Clyne Southend Bracelet Bay Caswell Bay Caswell Hill Langland Bay Port Eynon Horton Sketty Lane Baths | Up to 1 hr | £1.30 | 50p | Up to 4 hr | £1.30 |
| | Up to 2 hrs | £2.50 | £1.20 | All Day | £2.50 |
| | All Day | £5.00 | £4.50 | | |
| Coaches | Up to 2 hours All Day | £4.00 (up to 4 hrs) £6.00 | | | |

A large car park services the requirement of Swansea University; however, it is evident that these facilities do not cater for all students and employees as there is considerable on-street congestion in the residential areas surrounding the University.

Controlled parking zones have been introduced in a number of areas. In the City Centre the zone prohibits parking on single yellow lines between 8am and 6pm. This is designed to ensure the free flow of traffic during the day whilst allowing on-street parking during the evening periods. In Sandfields and the St. Thomas area the zones have been introduced to support the residents. There is also a controlled zone on Swansea Enterprise Park, also designed to assist traffic flow.

Parking Permits

The Contact Centre located in the Civic Centre manages the issue of parking permits. Applicants can either attend in person or apply by post. There are four permits - residents, family visitors, holiday visitors and care attendants.

Residents Permits: Each permit is vehicle and location specific. To obtain a permit the applicant must:

- ◆ own and drive the vehicle subject to the application and,
- ◆ produce the Vehicle Registration Document (V5) and a Current Driving License; both these documents must bear the applicant's name and address as above

Permits are not issued for commercial vehicles over 3500kg maximum gross weight, caravanettes or vehicles with dimensions exceeding 2.35m high and 5.35m long.

Family Visitor's Permit: These permits are vehicle and location specific. They are issued to family members; however, only where there is no residents' permit issued to the specified house hold.

Holiday Visitor's Permit: Again these permits are vehicle and location specific. They are issued to non residents of Swansea and who are staying overnight for more than 3 days. Only one permit can be applied for at any time; however, a maximum of 4 permits can be applied for in any given year.

Care Attendant's Permit: whilst these permits are vehicle specific they allow the holder to park in restricted areas throughout the City and County of Swansea. There are various conditions which apply to this permit; however, in general the holder must be looking after the resident's physical wellbeing e.g. cooking, cleaning, administering medication, duties where it is deemed necessary to be parked close to the resident's home.

The Contact Centre also deals with around 6508 blue badge applications per year and there are currently 18,000 such badges in circulation. The scheme enables people with mobility difficulties to park in locations where other drivers cannot in order that they can get closer to their ultimate destination. There restrictions on their use and holds receive a comprehensive explanation booklet which outlines their responsibilities and the restriction on the badges use.

The number of permits issued during the financial year 2010/11 are shown below in table 5.

Table 5

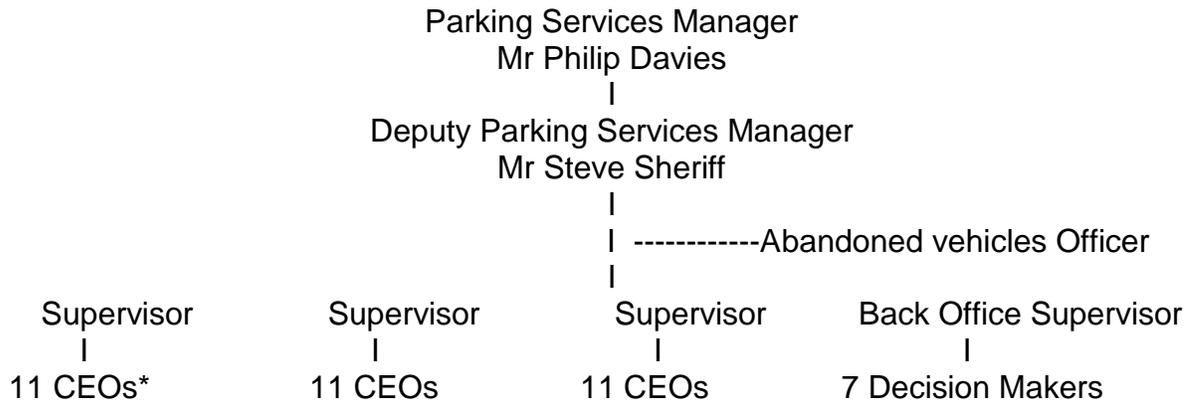
| Permit type | Number issued during 2010/11 |
|-------------------------|------------------------------|
| Residents Permit | 6520 |
| Family Visitors Permit | 426 |
| Holiday Visitors Permit | 659 |
| Care Attendants Permit | 2088 |
| Blue Badge | 6508 |

In January 2011 the Council commenced charging elected members and staff located in Penllergaer, Civic Centre, Guildhall and other City Centre locations to park in its car parks. This has resulted in a total of 3,789 permits being issued. To enforce this, Traffic Orders are being introduced in these locations and these will be enforced by the Civil Enforcement Officers.

3. Parking Enforcement

The City and County of Swansea took over responsibility for parking enforcement in September 2008. The Council directly employs the officers who enforce the traffic orders and the officers who deal with the representations and appeal process.

At the time of preparing this report the staff working within Parking Services Section is shown below:



* *Civil Enforcement Officers*

There are, therefore, a total of 36 officers trained as Civil Enforcement Officers. Officers classified as CEOs have powers which allow them to

- issue penalty charge notices to vehicles parked in contravention with the Traffic Regulation Order,
- order the removal of vehicle so parked should that be necessary

- and examine blue badges displayed on vehicles parked in areas where the use of the blue badge provides the user with parking concessions.

All officers undertake training prior to commencing their duties and in addition to the City & Guilds 1889 Level 2 Certificate for Civil Enforcement Officers (Parking) which ensure they have a full knowledge of the legislation and procedures and resolving on-street conflict they also undertake a series of in-house training. This in-house training ensures they have knowledge of the expectation of the Council, an understanding of the Councils requirement in respect of service delivery and equality, disability awareness, risk assessment and first aid.

Six of the officers are classified as Cashiers and in addition to their role as CEOs they have responsibility for the collection, counting and reconciliation of the cash from the 83 pay and display machines located throughout the City and County area. They also carry out routine maintenance and minor repairs to these machines. To increase efficiency the collection regime has been modified during the reporting period, however in line with the risk assessment for this role two officers are required to carry out this duty.

During the reporting period officers collected, counted and reconciled a total of £4,254,557 from these pay and display machines.

Officers also provide a physical presence in our multi storey and Clarence Terrace car parks. This reduces the number of officers available on a daily basis to enforce.

Enforcement takes place daily, commencing at 8am and concluding at 6pm on Monday, Tuesday Thursday and Sunday. On Wednesday Friday and Saturday this is extended to midnight to take account of the increased activity in the City Centre during the evening periods. Planning for different events or operations takes place and officers do work outside of these time frames whenever their services are required.

The priorities for parking enforcement are:

- Peak periods waiting and loading (main routes in and out of the City Centre)
- Single / double yellow lines on strategic routes
- School zig-zags (those with Traffic Regulation Orders)
- Permit spaces
- Pay and display (both on and off-street)
- Road junctions where restrictions are in place
- Bus stops and taxi ranks
- Liberty Stadium whenever an event is taking place
- Commercial areas outside the city centre.

During the reporting period a total of 34,598 penalty charge notices were issued. This represents an increase of 7763 notices or 29% on the previous financial year. This increase is directly linked to the recruitment of 10 additional officers during the reporting

period. In August 2010 these officers were recruited. Following their training and a period of supervised enforcement they commenced their on-street duties in October that year.

The Council is required to provide statistical returns to both the Welsh Government and the Home Office on an annual basis. These returns only require information relating to on-street activities however as this report is intended to provide the reader with a complete overview on the activities of the Parking Services Section the statistics provided will categorise the information for both on-street and off-street enforcement.

Penalty Charge notices are categorised as either on or off-street and also split into higher or lower contraventions. The higher and lower contraventions relate to the seriousness of the contravention and apply to both on and off-street contraventions.

The penalty levels are £70 for a high level contravention and £50 for a low level contravention. A complete list of the contraventions split into their categories can be found in 'Appendix A' at the rear of this report.

Both these penalties are discounted by 50% if paid within 14 days of the receipt of the notice. However, if they remain outstanding after 56 days of issue a surcharge of 50% is added. The discount period is extended if representations against the issue of the penalty charge notice are received within the initial 14 day period. This ensures motorists are not disadvantaged should they challenge the notice.

On-Street Enforcement:

In addition to the topography and size of the City and County of Swansea, the variety of parking orders in place presents a real challenge to the enforcement staff to manage on-street parking. The Orders were consolidated in 2008. However, as a large number of Orders have subsequently been introduced, a further consolidation took place in March 2011.

During the reporting period a total of 26,070 on-street penalty charge notices were issued. The Chart 1 below shows the monthly issue rate for the reporting period.

Chart 1



Table 6. below identifies the various contraventions and as can be seen the greatest number of contraventions relate to parking in restricted streets (i.e. double yellow lines) and parked in residents' bays without displaying a permit.

Table 6

| Contravention Code | Contravention | Number of PCN issued |
|--------------------|---|----------------------|
| 01 | Parked in a restricted road | 8001 |
| 02 | Loading in a restricted street | 2404 |
| 05 | Parked after payment expired | 68 |
| 06 | Parked without clearly displaying a pay and display ticket or voucher | 191 |
| 12 | Parked in a Residents bay | 4049 |
| 16 | Parked in a permit space | 259 |
| 19 | Parked in residents or shared use bay displaying invalid | 561 |
| 21 | Parked in a suspended bay | 57 |
| 22 | Re-parking within prohibited time | 33 |
| 23 | Wrong class of vehicle | 148 |
| 24 | Not parked correctly | 47 |
| 25 | Parked in a loading bay | 3962 |
| 26 | Double parking | 38 |
| 27 | Dropped footway | 20 |
| 30 | Parked longer than permitted | 4258 |
| 40 | Disabled person's parking | 1013 |
| 42 | Police Vehicles | 2 |
| 45 | Taxi Rank | 339 |
| 46 | Clearway | 1221 |
| 47 | Restricted bus stop | 237 |

| | | |
|----|------------------------|---------------|
| 48 | Restricted school area | 47 |
| 49 | Cycle Track or Lane | 8 |
| 99 | Pedestrian crossing | 84 |
| | Total | 27,047 |

In addition to the details above a total of 1,099 warning notices were issued in respect of on-street contraventions. Warning notices are issued by officers when due to signage or line problems the traffic order cannot be enforced. Warning notices are issued to remind the driver of their responsibilities and also show the public or residents that officers are patrolling in the area.

Off-Street Enforcement:

An effective and efficient enforcement regime in our car parks ensures that motorists using the car parks not only pay but also abide to the time purchased. In addition it ensures motorists park within the parking bays and do not obstruct the bays and roads thereby inconveniencing other car park users.

During the reporting period a total of 8,528 off-street penalty charge notices were issued. The Chart 2 below shows the monthly issue rate for the reporting period.

Chart 2

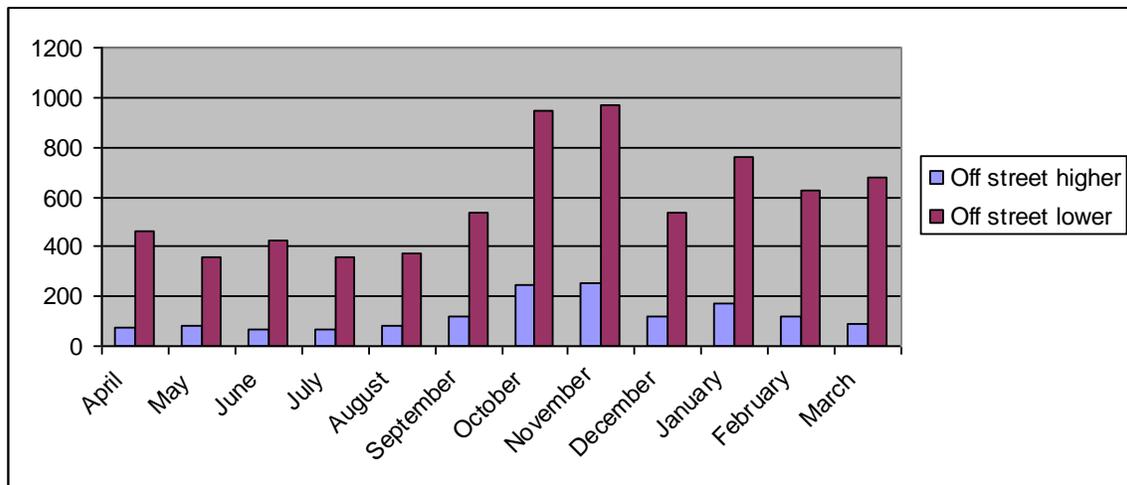


Table 7 below identifies the various contraventions and as illustrated, the greatest number of contraventions relate to not clearly displaying a parking ticket.

Table7

| Contravention Code | Contravention | Number of PCN issued |
|--------------------|--|----------------------|
| 70 | Parked in loading area | 1 |
| 80 | Parked longer than permitted | 24 |
| 81 | Parked in a restricted area | 67 |
| 82 | Parked after payment expired | 1966 |
| 83 | Parked without clearly displaying | 5200 |
| 84 | Feeding the metre | 6 |
| 85 | Parked in a permit bay | 958 |
| 86 | Parked beyond bay markings | 131 |
| 87 | Disabled persons parking without badge | 463 |
| 91 | Wrong class of vehicle | 23 |
| 92 | Obstruction | 10 |
| 93 | Parking in closed car park | 1 |
| | Total | 8,850 |

4. Challenges, Representations and Appeals

All Penalty Charge Notices contain details of how to make an appeal. Council staff respond to all correspondence at all stages of the appeal process. In addition there is information on our website about the appeal process and links to the British Parking Association and PATROL (Parking and Traffic Regulations outside London).

It is our aim to ensure our letters give information about the processes and our staff are committed to adopting a fair, transparent and consistent approach to challenges, representations and appeals against penalty charge notices.

During the reporting period a total of 14,735 items of mail were received and 32,838 sent either in response to the items received or as a result of non-response to the penalty charge notice or subsequent correspondence sent to the registered owner of the vehicle.

The average response time for responding to incoming mail during the reporting period is 93%. There has been time when, due in the main to staff shortages, we have suffered from a correspondence back log or the fluctuation in levels of correspondence received. We are committed to resolving such issues and are in negotiations with our software suppliers to develop a system that will not only allow us to improve on our response time, it will allow us to bring in staff to deal with any such backlog. The software will also introduce greater levels of consistency by further removing the subjectivity within the decision making. That said there will always be challenges which fall outside the general parameters and clearly in such cases managers or supervisors will be able to override responses.

There are three stages to an appeal process.

1. Informal Representations

The driver of the vehicle which has been issued with a penalty charge notice may write to the Council Parking Services Section if he/she considers that the notice has been issued incorrectly or there are compelling circumstances why it should be cancelled. At present such appeal must be sent in writing or submitted via email. It is anticipated that during the next financial year systems will be developed to allow challenges to be made via a web form. The Council's policy is to respond to only one such challenge per penalty charge notice due to the availability of further stages in the appeals process.

2. Formal Challenges

If payment is not received within 28 days of the date the penalty charge notice was issued the Council will request details of the owner of the vehicle from the DVLA. The owner will then receive a Notice to Owner. This document requires the owner to pay the penalty charge notice at the full rate. Legislation makes the owner responsible for the debt even if he was not the driver at the time of the contraventions. This often causes confusion and annoyance and it often the case that irate owners telephone the section complaining. Many of these phone calls are confrontational and require the staff to deal with the owner in a tactful and diplomatic manner. DVLA advises of the owner they have on record. A number of motorists fail to advise DVLA of change of ownership details and again this causes considerable confusion.

At this stage the owner can either pay the outstanding amount or can make a formal representation giving reasons why the penalty charge notice has been issued incorrectly, reasons why the owner is not liable or compelling reasons why it should be cancelled.

3. Appeal to the Traffic Penalty Tribunal

If the Council rejects the formal representations the owner may appeal to the Traffic Penalty Tribunal. The form to make the appeal is provided by the Council with its letter of rejection. The Traffic Penalty Tribunal is a totally independent body and the adjudicators are appointed by the Lord Chancellor. Appeals can either be heard in person at a town or city of the appellant's choice, by telephone or by written evidence. The decision of the Adjudicator is normally binding on both sides, however, in exceptional cases there are opportunities for either side to challenge the decision.

If the appeal is dismissed the appellant is liable for the penalty.

During the reporting period of the 34,598 penalty charge notice issued, 3510 or 10% were stopped. 2675 were stopped following receipt of an informal

challenge. 752 following receipt of a formal representation and 83 following service of the charge certificate.

The Traffic Appeals Tribunal received 84 appeals of which 23 were not contested by the Council, 18 appeals were upheld and 41 dismissed. Two cases submitted during the reporting period have not been heard at the time this report was written.

A number of motorists, for what ever reasons, choose to ignore the penalty charge notices and all correspondence sent to them. In such cases the legislation sets out how such cases are dealt with. Cases where the penalty remains unpaid are referred to the Northampton County Court who deals with all traffic related matters for England and Wales.

The Council makes an application for a debt recovery warrant to be issued and if approved this is passed to one of two debt recovery companies who work for the Council. They also write to the individual however if the penalty remains unpaid they instruct bailiffs, who are assigned to recover the debt or in legal terms 'seize distress.'

During the reporting period a total of £111,514 was recovered by the two companies. This represents a 44% recovery rate. In many cases the individual has no assets of value or has submitted a debt relief order. A debt relief order can only be applied for by a person with debts of less than £15k and is not a house holder. When such an order is obtained the debt recovery company are required to return the warrant to the Council and the matter is written off.

5. Financial Information

The CPE budget consists of income from Pay and Display, and Penalty Charge Notices (PCN). Tables 8 below sets out the income from these sources. The income derived from on-street charges and enforcement both on and off-street is subject to the constraints imposed by Section 55 of the Road Traffic Regulation Act 1984, as amended from October 2004 by section 95 of the Traffic Management Act 2004 and Regulation 10 of the Civil Enforcement of Parking Contraventions (General Provisions)(Wales)(No2) Regulations 2008.

Sub section 2 of the 1984 states;

(2)At the end of each financial year any deficit in the account shall be made good out of the [general fund or, in Wales, council fund], and (subject to subsection (3) below) any surplus shall be applied for all or any of the purposes specified in subsection (4) below and, in so far as it is not so applied, shall be appropriated to the carrying out of some specific project falling within those purposes and carried forward until applied to carrying it out.

This section of legislation ring fences any surplus for specific purposes including the provision or maintenance of off-street parking, highway improvement and environmental issues.

Table 8

| Source of Income | Income |
|---|-------------------|
| Penalty charge notices: On-Street | £ 910,933 |
| Penalty charge notices: Off-Street | £ 230,979 |
| Pay and Display Plymouth St. & Oxford St. | £5,496 |
| Total | £1,147,408 |

The expenditure which is off-set against the on-street charges and payments of penalty charges notices in respect of on-street contraventions are listed below in Table 9 below.

Table 9

| Expenditure | On-Street |
|---------------------------------|------------------|
| Employment costs | £633k |
| Premises Costs / Rent | £21.5k |
| Transport | £3k |
| Supplies and Services | £41k |
| Financial services Card Charges | £57k |
| SLA and Management Allocation | £38k |
| Signing | £11.5k |
| Total | £805k |

There was therefore a reported surplus of £340,887 from the enforcement of on and off-street contraventions.

As stated above any surplus must be used for specific purposes. During the reporting period the three Park and Ride scheme operated by the Council reported an operational loss of £514k. Sub section 4 B of the 1984 Act states:

‘meeting all or any part of the cost of the provision and maintenance by the local authority of [off-street parking accommodation, whether in the open or under cover;]’

Park and Ride car parks provide an essential option to motorists visiting the City either on a regular or one-off basis. The reduction of traffic flow into the City not only improves congestion but also reduces pollution levels which are very difficult to manage on the arterial routes into and out of the City Centre. Park and Ride also supports the business community providing both affordable parking for City Centre workers and shoppers. There is therefore a definite requirement to ensure the continued operations of these very valuable services.

Net income from car parks during the reporting period was £2,921,828. It is important to note however that this does not take account of the income for the car parks operated by other departments within the Council. These include Singleton car park, the Recreation Ground car park, St. Helens Foreshore car park and Knab Rock car park. These car parks are operated by Culture and Tourism and the £384k income is retained in their budget.

Table 10 list the car parks to which this report refers and also provides information regarding the number of spaces the total income for each car park and also the average income per space.

Table10

| Car Park | Spaces | Total Net Income | Average income per space |
|-----------------------|--------|------------------|--------------------------|
| Bracelet Bay | 220 | £76,672 | £349 |
| Caswell Bay | 150 | £90,813 | £605 |
| Caswell Hill | 52 | £6,884 | £132 |
| Clarence Terrace | 77 | £55,182 | £717 |
| Clyne Gardens | 138 | £37,969 | £275 |
| East Burrows | 230 | £81,794 | £356 |
| High Street MSCP | 722 | £209,571 | £290 |
| Horton | 160 | £10,597 | £66 |
| Langland | 265 | £105,267 | £397 |
| Mariner Street | 107 | £122,861 | £1,148 |
| Northampton Lane | 84 | £58,335 | £694 |
| Oxford Street | 116 | £205,340 | £1,770 |
| Oystermouth Foreshore | 68 | £54,714 | £805 |
| Park Street East | 31 | £46,735 | £1,508 |
| Park Street West | 15 | £13,522 | £901 |
| Paxton Street | 331 | £57,802 | £175 |
| Pell Street | 30 | £61,269 | £2,042 |
| Pockets Wharf | 53 | £7,100 | £134 |
| Port Eynon | 372 | £51,135 | £137 |
| The Strand | 218 | £186,539 | £856 |
| Quadrant MSCP | 517 | £699,266 | £1,353 |
| The Quarry | 71 | £49,538 | £698 |
| Salubrious Place | 26 | £12,851 | £494 |
| Sketty Lane | 31 | £33,550 | £1,082 |

| | | | |
|------------------|-----|-------------------|-------------|
| Southend | 48 | £48,432 | £1,009 |
| St. David's MSCP | 460 | £402,361 | £875 |
| The Bush | 40 | £22,813 | £570 |
| The Dairy | 38 | £51,563 | £1,357 |
| Worcester Place | 21 | £25,841 | £1,231 |
| YMCA | 25 | £35,514 | £1,421 |
| Total | | £2,921,828 | £620 |

5. Abandoned Vehicles

Based within the Parking Services Section is an officer with specific responsibility for the investigation of complaints regarding burnt out and abandoned vehicles.

The removal of abandoned, burnt and unroadworthy vehicles is a key issue to improving safety on our roads and in our communities. The City and County of Swansea vehicle removal scheme has been recognised as best practice chiefly because it aims to remove the means to commit crime.

By removing abandoned, burnt and unroadworthy vehicles we have been able to reduce the number of vehicle arsons over the past few years. The saving to the taxpayer is considerable as each car fire costs upwards of £4000 to the fire service and court costs on top of this make the saving considerably higher.

The Abandoned Vehicles Team receives over 30 calls a week regarding abandoned, dangerous and unroadworthy vehicles through its hotline number.

These reports are entered into a database which records all the relevant information i.e.

- vehicle make, model, colour
- registration
- location and condition of the vehicle.

A DVLA check is carried out to ascertain the current keeper details prior to an on site vehicle check by the Abandoned Vehicles Inspector. Whilst at the vehicle the inspector completes a vehicle condition report form to assess the type of removal required.

If it is considered that the vehicle is in a dangerous condition it is treated as a priority removal and will be removed within 24 hours this has had a very positive effect on the reduction of vehicle arson within the Swansea area.

The majority of vehicles that are removed by the partnership are unregistered, in other words they have been sold on from a previous owner and the new owner's details were not submitted to the DVLA.

During the report period a total of 703 complaints were received and investigated. This resulted in 265 abandoned and unroadworthy vehicles being removed.

In addition, working in partnership with the DVLA under devolved powers the officer is empowered to remove untaxed vehicles from public roads.

During the report period a total of 703 complaints were received and investigated. This resulted in 265 abandoned, unroadworthy and untaxed vehicles being removed.